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Attorneys for Plaintiff
APPLE COMPUTER, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(OAKLAND DIVISION)

APPLE COMPUTER, INC.,

Plaintiff,

v.

PODFITNESS, INC., and DOES 1-100,
inclusive,

Defendants.

Case No. C 06 5805 SBA

CERTIFICATE OF SERVICE

I am employed in the County of San Mateo. My business address is Fish & Richardson P.C., 500 Arguello Street, Suite 500, Redwood City, California 94063. I am over the age of 18 and not a party to the foregoing action.

I am readily familiar with the business practice at my place of business for collection and processing of correspondence for personal delivery, for mailing with United States Postal Service, for facsimile, and for overnight delivery by Federal Express, Express Mail, or other overnight service.

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On October 5, 2006, I caused a copy of the following document(s):

CLERK'S NOTICE

to be served on the interested parties in this action by placing a true and correct copy thereof,
enclosed in a sealed envelope, and addressed as follows:

Richard C. Gilmore
Workman Nydegger
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, UT 84111
Telephone: (801) 533-9800
Facsimile: (801) 328-1707

Attorneys for Defendants
PODFITNESS, INC.

☒

MAIL:

Such correspondence was deposited, postage fully paid, with the United States Postal Service on the same day in the ordinary course of business.

☐

PERSONAL:

Such envelope was delivered by hand to the offices of the addressee.

☒

FACSIMILE:

Such document was faxed to the facsimile transmission machine with the facsimile machine number stated above. Upon completion of the transmission, the transmitting machine issued a transmission report showing the transmission was complete and without error.

☐

**ELECTRONIC
MAIL:**

Such document was transmitted by electronic mail to the addressees' email addresses as stated above.

☐

**FEDERAL
EXPRESS:**

Such correspondence was deposited on the same day in the ordinary course of business with a facility regularly maintained by Federal Express.

☐

**EXPRESS
MAIL:**

Such correspondence was deposited on the same day in the ordinary course of business with a facility regularly maintained by the United States Postal Service.

☐

**OVERNIGHT
DELIVERY:**

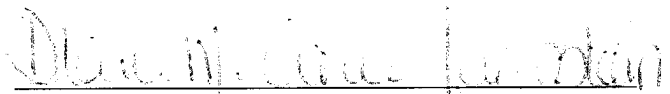
Such correspondence was given on the same day in the ordinary course of business to an authorized courier or a driver authorized by that courier to receive documents.

I declare that I am employed in the office of a member of the bar of this Court at whose
direction the service was made.

///

///

1 I declare under penalty of perjury that the above is true and correct. Executed on
2 October 5, 2006, at Redwood City, California.




Diane M. Arceo-Lowenstein

50376313.doc

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO 0896
CONNECTION TEL 9pp18013281707#PP
CONNECTION ID
ST. TIME 10/05 16:47
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RESULT OK



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Web Site
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Date October 5, 2006

To Richard C. Gilmore
Workman Nydegger
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, UT 84111
Telephone: (801) 533-9800

Facsimile number 21669-00153531 / (801) 328-1707

From David J. Miclean

Re Apple Computer, Inc. v. Podfitness, Inc.
Our Ref.: 21669-001LL1

Number of pages
including this page 5

Message Please see attached.